

20. A transformed plant cell comprising the expression vector of claim 19.

21. Seed or grain that comprises the isolated nucleic acid molecule of claim 17.

22. A transgenic plant comprising at least one plant cell that contains the isolated nucleic acid molecule of claim 17.

23. An isolated nucleic acid molecule comprising a nucleic acid sequence selected from the group consisting of: bases 7-2064 of SEQ. ID. No: 3, fragments of SEQ. ID. No:3 containing at least about 23 contiguous nucleotides of 7-2064 of SEQ. ID. No:3, and variants having at least 95% homology to any thereof.

24. A method of producing transformed plant tissue capable of expressing a heterologous nucleic acid sequence comprising:

introducing into at least one plant cell a nucleic acid sequence comprising at least bases 1864-2064 of SEQ. ID. No:3 or variants thereof, at least 200 bases of a nucleic acid sequence of said variants having at least 95% homology to bases 1864-2064 of SEQ. ID. No:3.

25. The method of claim 24, further comprising regenerating said at least one plant cell into a plant.

26. The method of claim 25, further comprising producing at least one progeny of said plant.--

REMARKS

The Office Action mailed December 4, 2002, has been received and reviewed. Claims 6 and 9-16 are currently pending in the application. Claims 6 and 9-16 stand rejected.

Applicant has canceled claims 6 and 9-16 and substituted new claims 17-26 therefore.